

RCW 70.24 Statute Modernization

DRAFT Legislative Package Proposal to Modernize “AIDS” Laws

Section	Title	Change	Notes
70.24.005	Transfer duties to the department of health.	No change	
70.24.015	Legislative finding.	Amend	Add blood borne pathogens (BBPs).
70.24.017	Definitions.	Amend	Add BBPs, health orders, medical treatment. Delete obsolete terms.
70.24.022	Interviews, examination, counseling, or treatment of infected, etc.	No change	
70.24.024	Orders for examinations and counseling—Restrictive measures—Investigation—Issuance of order—Confidential notice and hearing—Exception.	Amend	Allow for health orders to be issued in any order and for any medical treatment, extend orders up to 12 months.
NEW	Behaviors endangering – gross misdemeanor	New	Gross misdemeanor for violation of health order.
70.24.034	Detention—Grounds—Order—Hearing.	No change	
70.24.050	Diagnosis of sexually transmitted diseases—Confirmation—Anonymous prevalence reports.	No change	
70.24.070	Detention and treatment facilities.	No change	
70.24.080	Penalty	Amend	Technical fix. Add new penalty from new section “Criminal Penalty”.
70.24.084	Violations of chapter—Aggrieved persons—Right of action.	No change	
70.24.090	Pregnant women—Test for syphilis.	No change	
70.24.095	Pregnant women—Drug treatment program participants—AIDS counseling	Amend	Replace “AIDS counseling” requirement with STD and BBP education.
70.24.100	Syphilis laboratory tests	Repeal	Remove laboratory requirements and free of charge.
70.24.107	Rule-making authority—1997 c 345.	Repeal	Remove obsolete rule-making authority.
70.24.110	Minors—Treatment, consent, liability for payment for care.	Amend	Add preventive care.
70.24.120	Sexually transmitted disease case investigators—Authority to withdraw blood.	No change	
70.24.125	Reporting requirements for sexually transmitted diseases—Rules	Repeal	Move to 70.24.130 to consolidate rulemaking authority for chapter.
70.24.130	Adoption of rules.	Amend	Consolidate rulemaking authority for chapter into .130
70.24.140	Certain infected persons—Sexual intercourse unlawful without notification.	Repeal	Repeal and insert NEW section “Criminal penalty” immediately below.
NEW	Criminal penalty.	New	Gross/misdemeanor replacement for .140
70.24.150	Immunity of certain public employees.	No change	
70.24.200	Information for the general public on sexually transmitted diseases—Emphasis.	No change	
70.24.210	Information for children on sexually transmitted diseases—Emphasis.	No change	
70.24.220	AIDS education in public schools—Finding.	Amend	Change AIDS to STDs and reference OSPI statutes.
70.24.240	Clearinghouse for AIDS educational materials	Repeal	Remove obsolete requirement for clearinghouse.
70.24.250	Office on AIDS—Repository and clearinghouse for AIDS education and training material—University of Washington duties.	Repeal	Remove obsolete requirement for Office on AIDs.
70.24.260	Emergency medical personnel—Rules for AIDS education and training.	Repeal	Remove AIDS training requirement.
70.24.270	Health professionals—Rules for AIDS education and training.	Repeal	Remove AIDS training requirement.
70.24.280	Pharmacy quality assurance commission—Rules for AIDS education and training.	Repeal	Remove AIDS training requirement.
70.24.290	Public school employees—Rules for AIDS education and training.	Repeal	Remove AIDS training requirement.
70.24.300	State and local government employees—Determination of substantial likelihood of exposure—Rules for AIDS ed. and training.	Repeal	Remove AIDS risk assessment and training requirement.
70.24.310	Health care facility employees—Rules for AIDS ed. and training.	Repeal	Remove AIDS training requirement.
70.24.320	Counseling and testing—AIDS and HIV—Definitions.	Repeal	Remove definitions that are no longer relevant.
70.24.325	Counseling and testing—Insurance requirements	Repeal	Expand protection from HIV to BBP. Remove requirement: results to go to provider and not applicant.
70.24.340	Convicted persons—Mandatory testing and counseling for certain offenses—Employees' substantial exposure to bodily fluids—Procedure and court orders.	Amend	Remove testing of convicted persons. Apply substantial exposure provisions to BBPs only.
70.24.350	Prostitution and drug offenses—Voluntary testing and counseling	Repeal	Remove requirement, public health provides voluntary testing and counseling.
70.24.360	Jail detainees—Testing and counseling of persons who present a possible risk.	Amend	Replace HIV with BBP screening. Source testing with risky behavior only.
70.24.370	Correction facility inmates—Counseling and testing of persons who present a possible risk—Training for administrators and superintendents—Procedure.	Amend	Replace HIV with BBP screening. Testing with risky behavior only. DOC medical director has authority. Remove annual training requirement for administrators.
70.24.380	Board of health—Rules for counseling and testing.	Repeal	Remove authority for rules. No longer relevant.
70.24.400	Funding for office on AIDS—Center for AIDS education—Department's duties for awarding grants.	Repeal	Remove restrictions no longer relevant regarding funding.
70.24.410	AIDS advisory committee—Duties, review of insurance problems – Termination.	Repeal	Remove terminated committee (terminated 1999).
70.24.420	Additional local funding of treatment programs not required.	No change	
70.24.430	Application of chapter to persons subject to jurisdiction of department of corrections.	No change	
70.24.450	Confidentiality—Reports—Unauthorized disclosures.	No change	
70.24.901	Construction—Chapter applicable to state registered domestic partnerships—2009 c 521.	No change	
9A.36.011	Asault in the first degree.	Amend	Remove exposure to, or transmission of, HIV.
18.35.040	AIDS education - hearing aid specialists and audiologists.	Amend	Remove AIDS training requirement.
49.44.180	Genetic screening.	Amend	Remove HIV carve-out from genetic screening protection.
49.60.172	Unfair practices with respect to HIV or hepatitis C.	Amend	Technical fix. Remove reference to deleted definition.
70.02.220	Disclosure of confidential information.	Amend	Minor numerical changes to be consistent with 70.24.
74.46.835	AIDS pilot nursing facility.	Repeal	Remove obsolete nursing facility.
NEW	Severability clause.	New	Add if part held invalid by court, remainder not affected.